

Council/Agency Meeting Held: _____	City Clerk's Signature _____
Deferred/Continued to: _____	
<input type="checkbox"/> Approved <input type="checkbox"/> Conditionally Approved <input type="checkbox"/> Denied	
Council Meeting Date: April 18, 2005	Department ID Number: PW 05-025

## CITY OF HUNTINGTON BEACH REQUEST FOR CITY COUNCIL ACTION

**SUBMITTED TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS  
**SUBMITTED BY:** *Penelope Culbreth* PENELOPE CULBRETH-GRAFT, CITY ADMINISTRATOR  
**PREPARED BY:** PAUL EMERY, ACTING DIRECTOR OF PUBLIC WORKS  
**SUBJECT:** Conduct Public Hearing for Annual Weed Abatement Program

2005 APR - 6 12:33 PM  
 CITY OF HUNTINGTON BEACH, CA

Statement of Issue, Funding Source, Recommended Action, Alternative Action(s), Analysis, Environmental Status, Attachment(s)

**Statement of Issue:**

Pursuant to Resolution 2005-14, a public hearing must be held before staff can initiate the removal of weeds, refuse and rubbish from undeveloped private properties at the owner's expense.

**Funding Source:**

Funds in the amount of \$27,000 are budgeted in Weed Abatement, Account No. 10085416.64620 for abatement of public and private properties. Costs for abatement of private properties will be added to the County Assessor's tax role.

**Recommended Action:**

1. Open a public hearing for any objections and protests to the proposed removal of weeds, refuse, and rubbish; and following the hearing,
2. Authorize the Superintendent of Streets (Director of Public Works) to proceed with the abatement of said nuisance.

**Alternative Action(s):**

Postpone the hearing to a later date and direct staff to modify the annual weed abatement schedule.

(continued on next page)

## REQUEST FOR ACTION

MEETING DATE: April 18, 2005

DEPARTMENT ID NUMBER: PW 05-025

### Analysis:

On February 22, 2005, Council adopted Resolution 2005-14 declaring that certain weeds, refuse, and rubbish on public and private properties are a public nuisance that should be abated as provided in Division 3, Article 2, Chapter 13 of the California Government Code. The City cannot commence removal of weeds, refuse, and rubbish from private property at the owner's expense until a public hearing has been held to hear any objections and/or protests. The resolution fixed a public hearing date of April 18, 2005.

If a private property owner is unable or unwilling to clear their property by their own means, City staff will complete the task. If the City clears the property, the private property owner is billed for the City's costs on their property tax bill and these funds are reimbursed to the General Fund.

Exhibit A of Resolution 2005-14 indicated a total of 166 properties. The resolution required that notices be posted on all affected private properties not later than 10 days prior to the time of the hearing of objections. This action was taken and the Affidavit of Posting is attached.

**Public Works Commission Action:** Not applicable.

**Environmental Status:** Not applicable.

### Attachment(s):

City Clerk's Page Number	No.	Description
3	1.	Resolution No. 2005-14
11	2.	Affidavit of Posting
13	3.	Notice to Destroy Weeds and Remove Rubbish and Refuse
15	4.	PowerPoint Presentation

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**ATTACHMENT #1**

RESOLUTION NO- 2005-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HUNTINGTON BEACH FINDING AND DECLARING THAT CERTAIN  
WEEDS GROWING IN THE CITY, AND RUBBISH AND REFUSE  
DEPOSITED ON PUBLIC WAYS AND PRIVATE PROPERTY ARE  
A PUBLIC NUISANCE; AND FIXING THE TIME FOR HEARING  
PROTESTS AND OBJECTIONS TO THE ABATEMENT THEREOF

WHEREAS, it has come to the attention of the City Council of the City of Huntington Beach that certain weeds more particularly described below are growing upon certain streets, sidewalks, parkways and private property in the City of Huntington Beach, and that rubbish and refuse are found upon parkways, sidewalks and private property in the City, and that the same are a public nuisance; and

It appears to the City Council of the City of Huntington Beach that said weeds and rubbish and refuse should be removed and abated as a public nuisance in accordance with the provisions of Division 3, Chapter 13, Article 2 of the *California Government Code*, commencing with Section 39560.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. Pursuant to the provisions of Division 3, Chapter 13, Article 2 of the *California Government Code* and Huntington Beach Municipal Code, Chapter 8.16, the City Council of the City of Huntington Beach hereby determines and declares that weeds which bear seeds of a downy or winged nature, and weeds which attain such a large growth as to become, when dry, a fire menace, and dry grass, stubble, brush, litter or other flammable material which endangers the public safety by creating a fire hazard, and weeds which are otherwise noxious or dangerous, are growing upon certain streets, sidewalks, parkways and private property in the City, and that rubbish and refuse are found upon parkways, sidewalks and private property in the City, and the same are hereby declared to be a public nuisance. The names of such streets as they are commonly known, and the property fronting upon such streets, sidewalks or parkways, or in front of which such nuisance exists are hereinafter particularly described according to the official assessment maps of the County of Orange, as set out in Exhibit A, attached hereto and incorporated by this reference.

SECTION 2. The Director of Public Works of the City of Huntington Beach for the purpose of this resolution, and pursuant to Section 39560 of the *California Government Code*, is hereby designated as the person to perform the duties imposed by law, and is hereby instructed and directed to prepare and post notices to destroy weeds or to remove said rubbish and refuse as required by law. Such notices shall be in accordance with the requirements contained in *Government Code* Sections 39565 through 39566, and shall be conspicuously posted on or in front of the property on which, or in front of which the nuisance exists or, if the property has no frontage,

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upon any street, highway or road most likely to give actual notice to the owner. The notices shall be posted as follows: One notice to each piece or parcel of property in separate ownership of not over fifty (50) feet frontage; not more than two (2) notices to any such parcel of property in separate ownership with a frontage of one hundred (100) feet or less; and if the frontage of any place or parcel of property in separate ownership is greater than one hundred (100) feet, such notices shall be posted at not more than one hundred (100) feet apart. Such notice shall be posted at least ten (10) days prior to the time of hearing of objections.

SECTION 3. The City Council does hereby fix April 18, 2005 at 6:00 p.m. as the time, or as soon thereafter as the matter may be heard, in the Council Chambers in the Civic Center, Huntington Beach, California as the place for hearing objections and protests to the proposed removal of such weeds, rubbish and refuse.

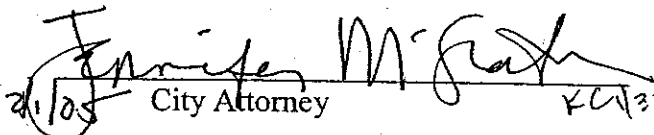
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 22nd day of February, 2005.

  
Mayor

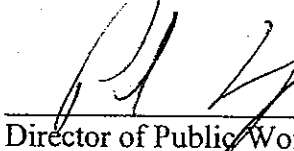
REVIEWED AND APPROVED:

APPROVED AS TO FORM:

  
City Administrator

  
City Attorney KCV 3/1/05

INITIATED AND APPROVED:

  
Director of Public Works

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	APN	OWNED	LOCATION	SIZE	SQ. FT.
1	023-084-01	PRIVATE	S/E CORNER LOMA & MAIN	173 X 50	8,650
2	023-114-14	PRIVATE	S/E CORNER 20TH & ACACIA	117.5 X 50	5,875
3	023-122-32	PRIVATE	CORNER 22ND & ORANGE	117.5 X 50	5,875
4	023-124-02	PRIVATE	S/SIDE 20TH @ PECAN	100 X 117.5	11,750
5	023-124-04	PRIVATE	S/SIDE 20TH BTW PECAN & ORANGE	50 X 117.5	5,875
6	023-126-11	PRIVATE	N/SIDE 21ST BTW OLIVE & ORANGE	117.5 X 50	5,875
7	023-127-27	PRIVATE	S/SIDE 21ST BTW OLIVE & ORANGE	117.5 X 25	2,938
8	023-134-12	PRIVATE	N/SIDE 19TH BTW OLIVE & WALNUT	25 X 95	2,375
9	023-136-16	PRIVATE	PCH BTW 21ST AND 22ND	25 X 127	3,175
10	023-136-18	PRIVATE	PCH BTW 21ST AND 22ND	25 X 127	3,175
11	023-136-20	PRIVATE	PCH BTW 21ST AND 22ND	25 X 127	3,175
12	023-137-02	PRIVATE	S/SIDE 21ST BTW PCH & WALNUT	117.5 X 37.5	4,406
13	023-142-16	PRIVATE	17TH BTW PALM & ACACIA	117.5 X 50	5,875
14	023-147-24	PRIVATE	N/W CORNER ACACIA & 16TH	117.5 X 25	2,938
15	023-147-25	PRIVATE	N/W CORNER ACACIA & 16TH	117.5 X 25	2,938
16	023-156-14	PRIVATE	N/SIDE 17TH BTW OLIVE & ORANGE	117.5 X 25	2,938
17	023-167-08	PRIVATE	N/SIDE 16TH @ PCH	50 X 163	8,150
18	024-012-02	PRIVATE	S/SIDE 14TH @ PALM	117.5 X 50	5,875
19	024-017-16	PRIVATE	N/SIDE 12TH BTW. PECAN & ACACIA	50 X 117.5	5,875
20	024-038-02	PRIVATE	S/SIDE 12TH BTW PCH & WALNUT	50 X 117.5	5,875
21	024-038-03	PRIVATE	S/SIDE 12TH BTW PCH & WALNUT	50 X 117.5	5,875
22	024-107-09	PRIVATE	N/W CORNER 8TH & PECAN	50 X 117.5	5,875
23	024-123-01	PRIVATE	S/W CORNER 9TH & WALNUT	117.5 X 50	5,875
24	024-123-07	PRIVATE	N/SIDE 8TH BTW PCH & WALNUT	62.5 X 117.5	7,344
25	024-124-16	PRIVATE	PCH BTW 7TH AND 8TH	25 X 110	2,750
26	024-134-13	PRIVATE	E/S LAKE BTW ALLEY AND PECAN	117.5 X 50	5,875
27	024-134-15	PRIVATE	TRIANGLE E/S LAKE BTW ALLEY & ORANGE	ODD	
28	024-141-26	PRIVATE	S/SIDE 7TH BTW OLIVE & ORANGE	50 X 117.5	5,875
29	024-142-10	PRIVATE	N/SIDE 5TH BTW OLIVE & ORANGE	25 X 107.5	2,688
30	024-142-22	PRIVATE	N/SIDE 5TH BTW OLIVE & ORANGE	25 X 107.5	2,688
31	024-151-08	PRIVATE	6TH BTW WALNUT & PCH	25 X 117.5	2,937
32	024-151-29	PRIVATE	PCH SO. CORNER OF 7TH	100 X 108	10,800
33	024-162-01	PRIVATE	S/W CORNER OLIVE & 1ST	100 X 117.5	11,750
34	024-164-07	PRIVATE	N/W CORNER 2ND & OLIVE	50 X 117.5	5,875
35	025-180-13	PRIVATE	E/SIDE BEACH SO. OF WILLIAMS	125 X 75	9,375
36	025-180-15	PRIVATE	S/SIDE WILLIAMS WEST OF BEACH	300 X 120	36,000
37	107-664-02	PRIVATE	N/W CORNER WARNER & NEWLAND	125 X 150	18,750
38	110-021-23	PRIVATE	WARNER @ SANDRALEE	ODD	5,600
39	110-151-10	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800
40	110-151-11	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800
41	110-151-17	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	ODD	43,200
42	110-152-01	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800
43	110-152-03	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800
44	110-152-04	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800
45	110-152-05	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800
46	110-152-07	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800
47	110-152-08	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800
48	110-152-09	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800
49	110-152-14	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800
50	110-152-20	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800
51	110-152-22	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800
52	110-152-23	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800
53	110-153-04	PRIVATE	N/OFF ELLIS @ QUARTERHORSE	112 X 25	2,800

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	APN	OWNED	LOCATION	SIZE	SQ. FT.
54	110-160-01	PRIVATE	N/OF ELLIS @ QUARTERHORSE	-----	99,600
55	110-162-03	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
56	110-162-04	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
57	110-162-05	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
58	110-162-06	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
59	110-162-19	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
60	110-163-13	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
61	110-163-16	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
62	110-163-17	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
63	110-163-22	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
64	110-164-06	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
65	110-164-07	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
66	110-164-08	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
67	110-164-11	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
68	110-164-12	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
69	110-164-15	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 50	5,600
70	110-164-16	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
71	110-164-18	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
72	110-164-21	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
73	110-165-01	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
74	110-165-03	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
75	110-165-05	PRIVATE	N/OF ELLIS @ QUARTERHORSE	112 X 25	2,800
76	110-180-01	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
77	110-182-03	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
78	110-182-11	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
79	110-183-19	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
80	110-184-04	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
81	110-184-10	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
82	110-184-16	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
83	110-184-17	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
84	110-185-15	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
85	110-186-03	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
86	110-186-04	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 50	5,600
87	110-186-07	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
88	110-186-08	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
89	110-186-09	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
90	110-186-14	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
91	110-186-15	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
92	110-186-16	PRIVATE	ELLIS N/OF SADDLEBACK	112 X 25	2,800
93	110-211-01	PRIVATE	W/SIDE GOLDENWEST S/OF ELLIS	112 X 25	2,800
94	110-211-04	PRIVATE	W/SIDE GOLDENWEST S/OF ELLIS	112 X 25	2,800
95	110-211-05	PRIVATE	W/SIDE GOLDENWEST S/OF ELLIS	112 X 175	19,600
96	111-120-11	PRIVATE	N/E CORNER GARFIELD & GOLDENWEST	145 X 50	7,250
97	111-140-28	PRIVATE	E/SIDE STEWART S/OF GARFIELD	-----	10,875
98	111-140-29	PRIVATE	E/SIDE STEWART S/OF GARFIELD	-----	10,875
99	111-140-30	PRIVATE	E/SIDE STEWART S/OF GARFIELD	-----	10,875
100	111-140-31	PRIVATE	E/SIDE STEWART S/OF GARFIELD	-----	10,875
101	111-140-32	PRIVATE	E/SIDE STEWART S/OF GARFIELD	ODD	
102	111-140-33	PRIVATE	E/SIDE STEWART S/OF GARFIELD	ODD	
103	111-150-47	PRIVATE	GARFIELD E/OF GOTHARD (YMCA)	127 X 175	22,225
104	142-131-04	PRIVATE	S/W CORNER GOLDENWEST & EDINGER	150 X 118	17,700
105	142-172-01	PRIVATE	S/SIDE HEIL @ BEACH	ODD	18,525
106	145-533-03	PRIVATE	MCFADDEN & ELECTRONIC	260 X 186	48,360

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2005 Vacant Parcels  
Private Ownership

Exhibit A

	APN	OWNED	LOCATION	SIZE	SQ. FT.
107	145-543-07	PRIVATE	ENGINEER & PIPELINE	168 X 164	27,552
108	146-463-14	PRIVATE	S/E CORNER GOLDENWEST & EDINGER	150 X 120	18,000
109	148-021-24	PRIVATE	BEACH BLVD. FRONTAGE @ ATLANTA	ODD	27,402
110	153-051-11	PRIVATE	E/S BEACH N/OF YORKTOWN	100 X 442	44,200
111	153-201-27	PRIVATE	S/SIDE GARFIELD W/O BROOKHURST	75 X 400	30,000
112	159-031-18	PRIVATE	W/SIDE BEACH N/OF MAIN	-----	34,284
113	159-121-22	PRIVATE	E/SIDE DELAWARE N/OF GARFIELD	300 X 150	45,000
114	159-281-01	PRIVATE	TRIANGLE BTW MAIN/GARFIELD/HOLLY	ODD	9,657
115	159-281-02	PRIVATE	TRIANGLE BTW MAIN/GARFIELD/HOLLY	800 X 115	23,000
116	159-281-04	PRIVATE	TRIANGLE BTW MAIN/GARFIELD/HOLLY	10 X 285	2,853
117	159-281-05	PRIVATE	TRIANGLE BTW MAIN/GARFIELD/HOLLY	ODD	37,237
118	159-282-14	PRIVATE	N/SIDE CLAY BTW HOLLY AND HUNTINGTON	-----	49,800
119	159-393-14	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	112 X 25	2,800
120	159-393-17	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	112 X 25	2,800
121	159-393-18	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	112 X 25	2,800
122	159-393-24	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	112 X 25	2,800
123	159-393-29	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	112 X 25	2,800
124	159-393-49	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	112 X 25	2,800
125	159-393-53	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	112 X 25	2,800
126	159-393-54	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	112 X 25	2,800
127	159-393-56	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	ODD	14,000
128	159-393-57	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	112 X 25	2,800
129	159-393-58	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	112 X 25	2,800
130	159-393-59	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	112 X 25	2,800
131	159-393-60	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	112 X 25	2,800
132	159-393-61	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	50 X 112	5,600
133	159-393-62	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	50 X 112	5,600
134	159-393-63	PRIVATE	S/SIDE ELLIS E/OF QUARTERHORSE	ODD	
135	163-263-09	PRIVATE	STRIP S/END OF BECK @ BANKTON	ODD	
136	163-263-10	PRIVATE	TRIANGLE S/END OF CANDLE CR.	ODD	
137	163-271-08	PRIVATE	TRIANGLE @ GAINSFORD/FANWOOD	ODD	
138	163-271-14	PRIVATE	END OF ALLSTONE DR.	ODD	
139	163-292-48	PRIVATE	LOS PATOS BTW LYNN & GREEN	180 X 80	14,400
140	163-302-34	PRIVATE	LYNN @ LOS PATOS	95 X 80	7,600
141	165-301-25	PRIVATE	W/SIDE BEACH N/OF RONALD	62 X 118	7,316
142	165-301-26	PRIVATE	W/SIDE BEACH N/OF RONALD	62 X 118	7,316
143	165-301-27	PRIVATE	W/SIDE OF BEACH AT RONALD	60 X 100	6,000
144	165-361-02	PRIVATE	WARNER E/OF OAK	49.5 X 80	3,960
145	165-361-04	PRIVATE	WARNER E/OF OAK	49.5 X 134	6,653
146	165-361-05	PRIVATE	WARNER E/OF OAK	49.5 X 134	6,653
147	165-361-06	PRIVATE	WARNER E/OF OAK	49.5 X 134	6,653
148	165-361-07	PRIVATE	WARNER E/OF OAK	49.5 X 134	6,653
149	165-361-08	PRIVATE	WARNER E/OF OAK	49.5 X 134	6,653
150	165-361-20	PRIVATE	S/E CORNER WARNER & OAK	50 X 83	4,233
151	165-361-21	PRIVATE	WARNER E/OF OAK	4 X 50	200
152	165-364-06	PRIVATE	CYPRESS @ ELM	41 X 110	4,510
153	167-325-19	PRIVATE	E/SIDE BEACH S/OF BLAYLOCK	95 X 100	9,500
154	167-325-20	PRIVATE	E/SIDE BEACH S/OF BLAYLOCK	100 X 103	10,300
155	178-161-35	PRIVATE	N/S HEIL E/OF LEGRANDE	131 X 120	15,720
156	178-201-28	PRIVATE	GREEN BTW PIERCE & NEELY	25 X 49	1,225
157	178-201-29	PRIVATE	GREEN BTW PIERCE & NEELY	25 X 49	1,225
158	178-201-30	PRIVATE	GREEN BTW PIERCE & NEELY	50 X 49	2,450
159	178-201-31	PRIVATE	GREEN BTW PIERCE & NEELY	25 X 49	1,225

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	APN	OWNED	LOCATION	SIZE	SQ. FT.
160	178-201-32	PRIVATE	GREEN BTW PIERCE & NEELY	25 X 49	1,225
161	178-201-33	PRIVATE	GREEN BTW PIERCE & NEELY	25 X 49	1,225
162	178-411-17	PRIVATE	END OF MALDEN CIRCLE	130 X 90	8,400
163	178-411-19	PRIVATE	END OF MALDEN CIRCLE	130 X 90	8,400
164	178-431-07	PRIVATE	W/SIDE CHANNEL N/OF ADMIRALTY	65 X 100	6,500
165	178-432-03	PRIVATE	CHANNEL S/OF ADMIRALTY	125 X 61	7,625
166	195-053-18	PRIVATE	N/E CORNER SPRINGDALE & BOLSA	150 X 120	18,000

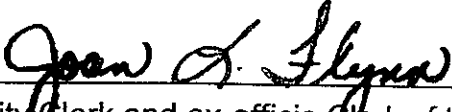
TOTAL VACANT PARCELS WITH PRIVATE OWNERSHIP: 166

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STATE OF CALIFORNIA  
COUNTY OF ORANGE ) ss:  
CITY OF HUNTINGTON BEACH )

I, JOAN L. FLYNN the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at an **regular** meeting thereof held on the **22nd day of February, 2005** by the following vote:

**AYES:** Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

  
\_\_\_\_\_  
City Clerk and ex-officio Clerk of the  
City Council of the City of  
Huntington Beach, California

D-1.10

D-1.11

**ATTACHMENT #2**

## AFFIDAVIT OF POSTING NOTICE TO DESTROY WEEDS

State of California                     )  
County of Orange                    )

Robert F. Beardsley, being duly sworn, deposes, and says:

That he is now and was during all the time mentioned the duly appointed and qualified Street Superintendent of the City of Huntington Beach, in said County and State.

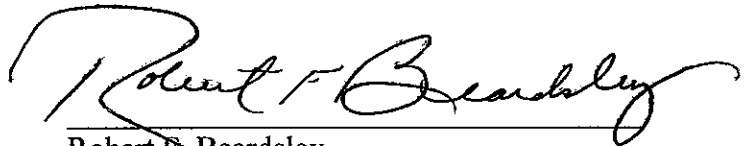
That on the 22nd day of February, 2005, the City Council of said City passed its Resolution of Intention No. 2005-14, declaring that noxious and dangerous weeds were growing upon or in front of property as described in said Resolution No. 2005-14.

That after adoption of said Resolution he caused to be posted conspicuously, along all the streets and property within the district described in said Resolution, notices of passage of said Resolution and headed, "Notice to Destroy Weeds and Remove Rubbish and Refuse," one of which notices, similar to the notices posted as aforesaid, is annexed hereto and made a part hereof.

That all notices were posted:

- (a) One notice to each separately owned parcel of property of not over fifty (50) feet frontage.
- (b) Not more than two notices to any such parcel of one hundred (100) feet of frontage or less.
- (c) Notices of not more than one hundred (100) feet apart if the frontage of such a parcel is greater than one hundred (100) feet.

That he completed all the posting of said notices on the 7<sup>th</sup> day of April 2005, and thereafter he made this affidavit and filed it with the City Clerk of the City of Huntington Beach, California.



Robert F. Beardsley  
Superintendent of Streets  
for Director of Public Works

Subscribed and sworn to before me on this 7<sup>th</sup> day of APRIL, 2005



Joan L. Flynn  
City Clerk

D-1.12

D-1.3

**ATTACHMENT #3**

# **NOTICE TO DESTROY WEEDS AND REMOVE RUBBISH AND REFUSE**

NOTICE IS HEREBY GIVEN THAT ON THE 22nd DAY OF FEBRUARY 2005, THE CITY COUNCIL, CITY OF HUNTINGTON BEACH, PASSED RESOLUTION NO. 2005-14.

DECLARING THAT NOXIOUS OR DANGEROUS WEEDS WERE GROWING UPON OR IN FRONT OF THE PROPERTY ON THIS STREET, AND THAT RUBBISH AND REFUSE WERE UPON OR IN FRONT OF PROPERTY ON THIS STREET IN THE CITY OF HUNTINGTON BEACH AND MORE PARTICULARLY DESCRIBED IN THE RESOLUTION, AND THAT THEY CONSTITUTE A PUBLIC NUISANCE WHICH MUST BE ABATED BY THE REMOVAL OF WEEDS, RUBBISH AND REFUSE. OTHERWISE, THEY WILL BE REMOVED AND THE NUISANCE ABATED BY THE CITY AND COST OF REMOVAL ASSESSED UPON THE LAND FROM OR IN FRONT OF WHICH THE WEEDS, RUBBISH AND REFUSE ARE REMOVED AND WILL CONSTITUTE A LIEN UPON SUCH LAND UNTIL PAID. REFERENCE IS HEREBY MADE TO THE RESOLUTION FOR FURTHER PARTICULARS. A COPY OF SAID RESOLUTION IS ON FILE IN THE OFFICE OF THE CITY CLERK.

ALL PROPERTY OWNERS HAVING ANY OBJECTIONS TO THE PROPOSED REMOVAL OF THE WEEDS, RUBBISH, REFUSE, AND DIRT ARE HEREBY NOTIFIED TO ATTEND A MEETING OF THE CITY COUNCIL, CITY OF HUNTINGTON BEACH, TO BE HELD ON THE 18th DAY OF APRIL AT THE HOUR OF 6:00 P.M. OR AS SOON THEREAFTER AS POSSIBLE, WHEN THEIR OBJECTIONS WILL BE HEARD AND GIVEN DUE CONSIDERATION.

DATED THIS 23rd DAY OF FEBRUARY 2005.

D-1.14

ROBERT F. BEARDSLEY  
SUPERINTENDENT OF STREETS  
(DIRECTOR OF PUBLIC WORKS)  
CITY OF HUNTINGTON BEACH

D-1.15

**ATTACHMENT #4**

# DEPARTMENT OF PUBLIC WORKS

## ANNUAL WEED, RUBBISH, AND REFUSE ABATEMENT PROGRAM

February 22, 2005: City Council  
Adopted Resolution No. 2005-14

Grass, weeds, rubbish, and refuse upon certain  
streets, sidewalks, parkways and private  
properties in city were declared nuisance

Selected properties were identified  
through field inspections and document  
search

D-1.16

**April 4, 2005: Letters were mailed to private property owners**

**March 29 – April 1: Affected private properties were posted with the Notice Destroy Weeds and Remove Rubbish and Refuse**

**April 18, 2005: Hearing of public objections at City Council meeting**

**April 29, 2005: Deadline for private property owners to respond to city**

**May 9, 2005: Abatement to commence on all properties for completion by May 31, 2005**

*D-1.17*

**August 22, 2005: Cost per parcel to be  
listed on Council Bulletin Board**

**August 1, 2005: City Council will be  
requested to certify clearing costs for  
inclusion on County 2005-2006 Tax**

D-1.18